GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:946
ANSWERED ON:21.07.2017
HIV and AIDS (Prevention and Control) Act, 2017
Gopal Dr. K.

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the HIV patients across the country have expressed their dissent with the recently passed HIV Bill;

(b) if so, the details thereof;

(c) whether the Act is an obligation on State Governments to provide treatment as far as possible, making it weak and open to interpretation;

(d) whether the HIV community has expressed its dissent regarding contentious clause in the Act; and

(e) if so, the details thereof and action taken in this regard?

Answer

ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SMT. ANUPRIYA PATEL)
(a): The passage of HIV and AIDS (Prevention and Control) Act,2017 was preceded by wider stakeholder consultations, including with the People Living with HIV (PLHIV). As such, various provisions of the Act take care of the aspirations of PLHIV and no dissent on their part has been noticed.

(b): Does not arise in view of the reply to (a) above.

(c): The HIV/AIDS Act, 2017 places an obligation on State Governments to provide treatment as far as possible. However, this does not make the Act weak and open to interpretation as State Governments are following recently launched Test and Treat Strategy of Government of India under which all persons found positive for HIV will be put on lifelong free Anti Retro-viral Therapy regardless of CD4 count.

(d): In view of the reply to (a) above, the contentious clauses were taken care of prior to the passage of the Bill and now there are no contentious clauses in the Act.

(e): Does not arise in view of the reply to (d) above.
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